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<p>N.E.,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>T-MOBILE USA, INC., EXECUTIVE CELLULAR PHONES, INC., VICTOR [LAST NAME CURRENTLY UNKNOWN], ABC CORPORATIONS 1-5 (fictitious names describing presently unidentified business entities); and JOHN DOES 1-5 (fictitious names describing presently unidentified individuals),</p> <p style="text-align: center;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION MIDDLESEX COUNTY</p> <p>DOCKET NO.:</p> <p style="text-align: center;"><u>Civil Action</u></p> <p style="text-align: center;">COMPLAINT & DEMAND FOR JURY TRIAL</p>
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Plaintiff N.E.¹ (“Plaintiff”), by way of Complaint against Defendant T-Mobile USA, Inc. (“Defendant T-Mobile”), Executive Cellular Phones, Inc. (“Defendant ECP”), and Defendant

¹ Plaintiff’s initials are provided in lieu of her full name to protect Plaintiff’s identity pursuant to *Rule* 1:38-3, as this matter concerns claims that Plaintiff was a victim of a sexual offense.

Victor [last name currently unknown] (“Defendant Victor”) (collectively “Defendants”), alleges as follows:

PARTIES

1. Plaintiff is an individual residing in New Jersey.
2. Defendant T-Mobile is a foreign profit corporation headquartered in Bellevue, Washington. Defendant T-Mobile also conducts business in the State of New Jersey and maintains a principal place of business located at 100 Charles Ewing Boulevard, Ewing, New Jersey 08628. Defendant T-Mobile conducts business throughout the state of New Jersey and nationwide. At all relevant times, Defendant T-Mobile is a single and joint employer of Defendant Victor within the meaning of New Jersey State Law. At all times relevant hereto, Defendant T-Mobile is an “employer” as defined under the New Jersey Law Against Discrimination, *N.J.S.A. 10:5-1, et seq.* (“NJLAD”).
3. Defendant ECP is a New Jersey domestic profit corporation with a principal business address at 68 Veronica Avenue, Suite 9, Somerset, New Jersey 08873. Defendant ECP is a premier T-Mobile Wireless Phone and Device Retailer authorized to promote and sell Defendant T-Mobile products and service plans on behalf of Defendant T-Mobile to New Jersey, New York and Pennsylvania residents. Defendant ECP conducts business throughout the State of New Jersey.² Upon information and belief, Defendant ECP is a subsidiary of, controlled by, affiliate of, and/or agent for Defendant T-Mobile. At all relevant times, Defendant ECP is a single and joint employer of Defendant Victor within the meaning of New Jersey State Law. At all times relevant hereto, Defendant ECP is an “employer” as defined under the NJLAD.

² Defendant ECP operates retail locations in in East Brunswick, Cherry Hill, Deptford, Flemington, Mays Landing, Jersey City, Elizabeth, Eatontown, Moorestown, Jersey City, Toms River, Paramus, Phillipsburg, Somerset, Westfield, Wayne and Woodbridge, New Jersey.

4. Upon information and belief, Defendant Victor is an individual employed by Defendants. This claim is brought against Defendant Victor in his individual capacity and as an agent and/or servant of Defendants T-Mobile and ECP (collectively “Corporate Defendants”).

5. At all relevant times, Corporate Defendants are single and joint employers of Defendant Victor within the meaning of the NJLAD and among other New Jersey State laws. Upon information and belief, Corporate Defendants’ operations are interrelated and unified, they share common management, centralized control of labor relations, common ownership, common control, common practices and decisions with respect to policies, common business purposes, and interrelated business goals. In addition, they jointly determine and manage the pay practices, rates of employee pay, sales and marketing related decisions, method of employee payment, maintenance of employee records and personnel policies, practices and decisions with respect to employees. Corporate Defendants jointly control Defendant Victor’s terms and conditions of employment. Corporate Defendants are therefore jointly and vicariously liable for Plaintiff’s claims.

INTRODUCTION

6. Defendant T-Mobile is a publically-traded mobile communication company that conducts business nationwide and internationally. As part of its marketing strategy, Defendant T-Mobile has branded itself as a progressive corporation committed to breaking industry norms to benefit consumers.³ Publically, Defendant T-Mobile touts itself as the antithesis of all that consumers hate about large wireless carriers (Defendant T-Mobile’s competitors). Indeed, Defendant T-Mobile proudly deemed itself the “Uncarrier” years ago, a heroic company committed to saving consumers from evil wireless conglomerates who care little about customer

³ See <https://www.ana.net/blogs/show/id/mm-blog-2018-06-how-tmobile-connects-with-millennials-on-social>

service and satisfaction.⁴ To perpetuate that narrative, on its website, Defendant T-Mobile boasts its designation as a “World’s Most Ethical Company for 10 years running.”⁵ Defendant T-Mobile also touts “we’ve got our customers’ backs” and that “our commitment to our customers includes protecting their data and ensuring a safe online experience for all.”⁶ Yet when Plaintiff, a Defendant T-Mobile customer, reported an egregious privacy invasion and disturbing act of sexual harassment she endured in a T-Mobile store by a T-Mobile employee, Defendant T-Mobile failed to answer the call and keep its many aforementioned promises.

7. As consumers, now, more than ever, we are vulnerable to irreparable invasions into our most sensitive, personal, intimate information, all contained on our wireless devices every time we interact with and provide access to customer service technicians. Accordingly, Plaintiff’s experience is one of serious public concern, and rather than addressing it faster than the speed of light as the Uncarrier looking to save the day, Defendant T-Mobile has hidden behind the comfortable barrier of call-center representatives and fine print semantics. Thankfully, New Jersey law provides redress for victims of such reprehensible conduct; Plaintiff accordingly brings this lawsuit.

FACTS COMMON TO ALL CLAIMS

8. Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.

9. On November 19, 2018, Plaintiff, a consumer of Defendant T-Mobile, was subjected to an egregious act of sexual harassment and privacy invasion in violation of New Jersey law by Defendant Victor.

⁴ See <https://www.digitaltrends.com/mobile/t-mobile-disruptive-mike-sievert/>

⁵ See <https://www.t-mobile.com/content/t-mobile/corporate/responsibility.html>.

⁶ *Id.*

10. Specifically, Plaintiff entered the Corporate Defendants' T-Mobile retail store located in the Hamilton Mall, 4403 E Black Horse Pike Suite 2090, Mays Landing, New Jersey 08330 ("T-Mobile Store") to upgrade her cell phone.

11. Both the exterior and interior of the T-Mobile Store are adorn with the T-Mobile logo and T-Mobile promotional materials.

12. On its website, Defendant T-Mobile notes that it provides "unmatched support" to retailers like Defendant ECP, pairing the retailer "with dedicated account management and field teams to set you up for success."⁷

13. To ensure consumers enjoy a "branded retail experience," Defendant T-Mobile provides "real estate/store design assistance, T-Mobile merchandising and POS systems, and top notch sales training" to retailers like Defendant ECP.⁸

14. Upon arrival at the T-Mobile Store, Plaintiff was assisted by Defendant Victor.

15. During this exchange, Defendant Victor recommended that Plaintiff trade in her current phone to offset the cost of a new phone.

16. Defendant Victor then instructed Plaintiff to deactivate her security code, leave her phone in his possession so he could "turn off [Plaintiff's] location services," and browse the T-Mobile Store under the guise that he was preparing her phone for trade in.

17. For this limited purpose, Plaintiff did as Defendant Victor instructed.

18. Thereafter, Defendant Victor deviated from the limited access that Plaintiff authorized of her phone and began trolling outside of the agreed upon area of access, Plaintiff's location settings, into Plaintiff's camera application and through her pictures and videos.

⁷ See <https://www.t-mobile.com/our-story/working-together/premium-retailer-program>.

⁸ *Id.*

19. Even worse, Defendant Victor summoned over another Defendant T-Mobile employee and showed him the pictures and videos in Plaintiff's camera application, all without Plaintiff's knowledge or authorization.

20. Moments later, Plaintiff's entire body went into a state of alarm as she heard through the wireless headphones synced with her cell phone still in her ears that Defendant Victor was accessing and playing an intimate video saved in Plaintiff's camera application.

21. Immediately, Plaintiff approached Defendant Victor, who was smiling and actively showing the video to another T-Mobile employee and grabbed her phone from his hands (the "Privacy Invasion").

22. Plaintiff was in a state of extreme emotional distress as a result of the Privacy Invasion.

23. To Plaintiff, the Privacy Invasion was as intimate and devastating a forcible violation as if Defendant Victor intruded upon her physically in the act contained in the video he accessed.

24. Indeed, that this was a digital (rather than physical) intrusion on this intimate moment captured for personal use had no bearing on the deeply damaging emotional distress Plaintiff suffered as a result of the Privacy Invasion.

25. Traumatized and humiliated by Defendant Victor's betrayal, Plaintiff abruptly exited the T-Mobile store crying and immediately contacted her fiancé.

26. Thereafter, Plaintiff's fiancé contacted Defendant T-Mobile to report Defendant Victor's outrageous and illicit conduct.

27. Upon reporting Defendant Victor's unlawful behavior, Plaintiff's fiancé alerted Defendant T-Mobile of the serious public concerns associated with allowing an individual like

Defendant Victor to continue to interact with Defendant T-Mobile customers and access consumer personal data.

28. In making this report, Plaintiff and her fiancé sought that immediate action be taken to prevent Defendant Victor from committing additional acts of unlawful conduct to other unsuspecting individuals.

29. Plaintiff and her fiancé were also extremely concerned that Defendant Victor disseminated her private data either to himself or to other individuals while accessing her phone and that such information was now being accessed and potentially even sold without her knowledge on the internet.

30. During this call, Plaintiff's fiancé asked the apathetic Defendant T-Mobile representative how he would feel if the Privacy Invasion happened to his wife, girlfriend, mother, sister – any woman that he knew.

31. The representative agreed and stated that he too would be upset if a loved one experienced the Privacy Invasion, and escalated the call to Defendant T-Mobile Assistant District Manager Michael [last name currently unknown] ("Michael"), who was ambivalent and advised that he would "look into" the Privacy Invasion and attempted to rush Plaintiff's fiancé off the phone.

32. Plaintiff's fiancé continued to complain and insist that Defendant T-Mobile immediately act to ensure an investigation would be conducted, that steps were being taken to protect Plaintiff's private information, and that Defendant Victor would suffer some consequence as a result of this behavior.

33. In turn, Michael advised that he would have Defendant T-Mobile's "Loss Prevention" and Human Resources Departments review the surveillance video positioned in the T-Mobile Store to determine the extent of Defendant Victor's unlawful activity.

34. Michael then advised Plaintiff's fiancé that he would "get back" to him by the "absolute latest tomorrow morning."

35. Despite the seriousness and time sensitive nature of Plaintiff's allegations, neither Michael nor any other Defendant T-Mobile representative has contacted Plaintiff or her fiancé to address or investigate the unlawful behavior to which Plaintiff was subjected at the T-Mobile Store.

36. Though Plaintiff is being ignored by Defendant T-Mobile, Defendant Victor has contacted Plaintiff through a mutual acquaintance asking that she drop this matter.

37. Plaintiff and her fiancé attempted multiple times to contact Defendant T-Mobile to determine what corrective action, if any, is being taken to protect Plaintiff's personal information and the safety of other members of the public from Defendant Victor's illicit behavior, but have yet to receive the courtesy of a reply from Defendant T-Mobile.

38. Defendant T-Mobile could employ simple measures to protect consumers from suffering similar unlawful conduct to that of Plaintiff.

39. By way of example but not limitation, Defendant T-Mobile should specifically train employees on the importance of consumer privacy and maintain a zero tolerance policy that is actively enforced.

40. Defendant T-Mobile should also have in place mechanisms to promptly and effectively investigate and remediate complaints of privacy violations.

41. Consumers like Plaintiff should not be subject to a runaround of empty promises from call center representatives when they report illicit conduct by a Defendant T-Mobile employee.

42. Moreover, Defendant T-Mobile should be proactive and transparent with consumers who report unlawful privacy invasions.

43. Plaintiff and other customers should not be put through the emotional turmoil of being ignored for weeks when information that could bring the perpetrator to justice is within Defendant T-Mobile's possession and control and can be easily verified by Defendant T-Mobile.

44. Also, considering the sensitive information with which they are entrusted, Defendant T-Mobile should conduct rigorous background checks of technicians before hiring.

45. Defendant T-Mobile should also implement mechanisms to monitor employee access of consumer phones and conduct random audits of technicians.

46. In addition, Defendant T-Mobile could require that a customer remain with the technician while servicing their device.

47. Moreover, Defendant T-Mobile could implement a screen sharing policy in which either the customer and/or a supervisor at Defendant T-Mobile was able to monitor the technician's access.

48. Defendant T-Mobile could also provide an "access report" detailing the technician's every click to consumers.

49. By way of another example, Defendant T-Mobile could take the initiative to educate and help consumers protect themselves from unlawful privacy invasion.

50. Had these measures been employed, Plaintiff would not have suffered the Privacy Invasion.

51. As a result of the above conduct, Plaintiff suffered and continues to suffer from severe emotional distress as she attempts to cope with the emotional trauma of Defendants' aforementioned unlawful conduct.

52. By way of example, but not limitation, Plaintiff is terrified that her personal data has been publically disseminated, the breadth of which is still undetermined thanks to Defendant T-Mobile's ongoing failure to cooperate.

53. Plaintiff is also distraught over the notion that her intimate and private data has been accessed and shared without her authorization and fears that members of the public can now access her information.

54. As a direct result of Defendants' illicit behavior, Plaintiff is exhibiting physical manifestations of stress and anxiety and is having difficulty sleeping through the night.

COUNT ONE

NJLAD: SEXUAL HARASSMENT AND DISCRIMINATION DUE TO GENDER (AS TO DEFENDANT T-MOBILE, DEFENDANT ECP AND DEFENDANT VICTOR)

55. Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.

56. Plaintiff was subjected to a severe and pervasive instance of harassment on account of her gender.

57. The conduct would not have occurred but for Plaintiff's gender.

58. Plaintiff's gender was the motivating factor in the decision Defendant Victor made and the action Defendant Victor took to discriminate against Plaintiff.

59. At all times relevant hereto, Defendant T-Mobile is an "employer" as defined under the New Jersey Law Against Discrimination ("LAD"), *N.J.S.A. 10:5-1, et seq.*

60. At all times relevant hereto, Defendant ECP is an "employer" as defined under the New Jersey Law Against Discrimination ("LAD"), *N.J.S.A. 10:5-1, et seq.*

61. As the employers and/or supervisors of the Defendant Victor, Corporate Defendants are vicariously, strictly and/or directly liable to Plaintiff pursuant to the New Jersey Law Against Discrimination ("NJLAD"), *N.J.S.A. 10:5-1, et seq.*, in that the affirmative acts of discrimination and harassment committed by Defendant Victor and agents and/or representatives of Corporate Defendants occurred within the scope of employment; and/or Corporate Defendants

were deliberately indifferent, reckless, negligent and/or tacitly approved Defendant Victor's conduct; and/or Corporate Defendants failed to create and/or have in place well-publicized and enforced anti-harassment policies, effective formal and informal complaint structures, training, and/or monitoring mechanisms for same despite the foreseeability of sexual harassment; and/or by having actual knowledge of the harassment of Plaintiff and failing to promptly and effectively act to stop it.

62. As a proximate result of the aforementioned acts and omissions set forth herein, Plaintiff has sustained damages.

WHEREFORE, Plaintiff demands judgment in her favor and against Defendants on this Count, together with compensatory and equitable relief, all remedies available under the law, punitive damages, pre-and post-judgment interest, attorney's fees and costs of suit. More specifically, Plaintiff demands judgment against Defendants for harm suffered in violation of the NJLAD as follows:

- A. Compensatory damages;
- B. Consequential damages;
- C. Punitive damages;
- D. Prejudgment interest and enhancements to off-set negative tax consequences;
- E. Any and all attorneys' fees, expenses and/or costs, including, but not limited to, court costs, expert fees and all attorneys' fees incurred by Plaintiff in the prosecution of this suit (including enhancements thereof required to off-set negative tax consequences and/or enhancements otherwise permitted under law);
- F. Such other relief as may be available pursuant to the LAD and which the Court deems just and equitable;
- G. Ordering Defendants to take appropriate corrective action to stop and prevent retaliation at the workplace;
- H. Ordering Defendants to take appropriate corrective action to stop and prevent harassment at the workplace;
- I. Ordering Defendants to undergo anti-discrimination training;
- J. Ordering Defendants to undergo anti-retaliation training;
- K. Ordering Defendants to undergo anti-harassment training;
- L. Ordering Defendants to undergo workplace civility training;
- M. Ordering Defendants to undergo bystander intervention training;
- N. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-discrimination training;

- O. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-retaliation training;
- P. Ordering Defendants to engage a research organization to assess the effectiveness of their anti-harassment training;
- Q. Ordering Defendants to engage a research organization to assess the effectiveness of their workplace civility training;
- R. Ordering Defendants to engage a research organization to assess the effectiveness of their bystander intervention training;
- S. Ordering Defendants to identify an appropriate professional to investigate any future complaints of discrimination;
- T. Ordering Defendants to identify an appropriate professional to investigate any future complaints of harassment;
- U. Ordering Defendants to identify an appropriate professional to investigate any future complaints of retaliation; and
- V. Such other relief as may be available and which the Court deems just and equitable.

COUNT TWO

NEW JERSEY COMPUTER-RELATED OFFENSES ACT **(AS TO DEFENDANT VICTOR)**

63. Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.

64. As set forth herein, Defendant Victor knowingly accessed, disseminated, and/or took data on Plaintiff's phone without authorization in violation of the New Jersey Computer-Related Offenses Act ("CROA"), N.J.S.A. 2A:38a-1 *et seq.*

65. As a direct and proximate result of Defendant Victor's CROA violations, Plaintiff has suffered and continues to suffer damages.

COUNT THREE

INVASION OF PRIVACY: **UNREASONABLE INTRUSION UPON THE SECLUSION OF ANOTHER** **(AS TO DEFENDANT VICTOR)**

66. As set forth herein at length, Defendant Victor knowingly, voluntarily and intentionally invaded Plaintiff's privacy by accessing Plaintiff's camera application and a video recording of Plaintiff without permission.

67. The intrusion by Defendant Victor upon Plaintiff's privacy was such that it would be highly offensive to the ordinary reasonable person.

68. The video recording of Plaintiff intruded upon by Defendant Victor was private.

69. As a result of Defendant Victor's invasion of privacy, Plaintiff has suffered and continues to suffer damages.

WHEREFORE, Plaintiff demands judgment in her favor and against Defendant Victor on this Count, together with compensatory and equitable relief, all remedies available under the law, punitive damages, pre- and post-judgment interest, attorney's fees and costs of suit, and for such other relief that the Court deems equitable and just.

COUNT FOUR

NEGLIGENT HIRING **(AS TO DEFENDANT T-MOBILE AND DEFENDANT ECP)**

70. Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.

71. Corporate Defendants' negligence, gross negligence, reckless conduct and hiring of Defendant Victor as an employee directly and proximately caused Plaintiff to suffer the Privacy Invasion as set forth above.

72. As a proximate result of the aforementioned negligent hiring by Corporate Defendants, and acts and omissions set forth herein, Plaintiff has suffered great emotional pain; she suffered mental anguish and shock; Plaintiff suffered numerous other damages and will, in the future, so suffer.

WHEREFORE, Plaintiff demands judgment in her favor and against Corporate Defendants on this Count, together with compensatory and equitable relief, all remedies available under the

law, punitive damages, pre- and post-judgment interest, attorney's fees and costs of suit, and for such other relief that the Court deems equitable and just.

COUNT FIVE

NEGLIGENT RETENTION **(AS TO DEFENDANT T-MOBILE AND DEFENDANT ECP)**

73. Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.

74. Corporate Defendants' negligence, gross negligence, reckless conduct and retention of Defendant Victor as an employee directly and proximately caused Plaintiff to suffer the Privacy Invasion as set forth above.

75. As a proximate result of the aforementioned negligent retention of Defendant Victor by Corporate Defendants, and acts and omissions set forth herein, Plaintiff has suffered great emotional pain; she suffered mental anguish and shock; Plaintiff suffered numerous other damages and will, in the future, so suffer.

WHEREFORE, Plaintiff demands judgment in her favor and against Corporate Defendants on this Count, together with compensatory and equitable relief, all remedies available under the law, punitive damages, pre- and post-judgment interest, attorney's fees and costs of suit, and for such other relief that the Court deems equitable and just.

COUNT SIX

NEGLIGENT TRAINING **(AS TO DEFENDANT T-MOBILE AND DEFENDANT ECP)**

76. Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.

77. Corporate Defendants' negligence, gross negligence, reckless conduct and training of Defendant Victor as an employee directly and proximately caused Plaintiff to suffer the Privacy Invasion as set forth above.

78. As a proximate result of the aforementioned negligent training by Defendant Best Buy and Defendant Spirit, and acts and omissions set forth herein, Plaintiff has suffered great emotional pain; she suffered mental anguish and shock; Plaintiff suffered numerous other damages and will, in the future, so suffer.

WHEREFORE, Plaintiff demands judgment in her favor and against Corporate Defendants on this Count, together with compensatory and equitable relief, all remedies available under the law, punitive damages, pre- and post-judgment interest, attorney's fees and costs of suit, and for such other relief that the Court deems equitable and just.

COUNT SEVEN

NEGLIGENT SUPERVISION **(AS TO DEFENDANT T-MOBILE AND DEFENDANT ECP)**

79. Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.

80. Corporate Defendants' negligence, gross negligence, reckless conduct and supervision of Defendant Victor directly and proximately caused Plaintiff to suffer the Privacy Invasion as set forth above.

81. As a proximate result of the aforementioned negligent supervision by Corporate Defendants, and acts and omissions set forth herein, Plaintiff has suffered great emotional pain; she suffered mental anguish and shock; Plaintiff suffered numerous other damages and will, in the future, so suffer.

WHEREFORE, Plaintiff demands judgment in her favor and against Corporate Defendants on this Count, together with compensatory and equitable relief, all remedies available under the law, punitive damages, pre- and post-judgment interest, attorney's fees and costs of suit, and for such other relief that the Court deems equitable and just.

COUNT EIGHT

NEGLIGENCE

(AS TO DEFENDANT T-MOBILE, DEFENDANT ECP AND DEFENDANT VICTOR)

82. Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.

83. Defendant Victor was an employee acting within the course and scope of employment with Corporate Defendants when he committed the intentional, careless, negligent and reckless conduct toward Plaintiff.

84. It then and there became the duty of Corporate Defendants, by and through their agents, servants and/or representatives, to use reasonable care to hire, retain, train, supervise, and manage their employees.

85. Corporate Defendants, despite having actual or constructive notice of the conduct of Defendant Victor, were deliberately indifferent and acquiesced to same thereby breaching their duty of care to Plaintiff.

86. On account of the conduct of Defendant Victor and Corporate Defendants, Plaintiff has suffered great emotional pain; she suffered mental anguish and shock; Plaintiff suffered numerous other damages and will, in the future, so suffer.

WHEREFORE, Plaintiff demands judgment in her favor and against Defendants on this Count, together with compensatory and equitable relief, all remedies available under the law,

punitive damages, pre- and post-judgment interest, attorney's fees and costs of suit, and for such other relief that the Court deems equitable and just.

DEMAND FOR DISCOVERY OF INSURANCE COVERAGE

Pursuant to *Rule* 4:10-2(b), demand is made that Defendants disclose to Plaintiff's attorney whether or not there are any insurance agreements or policies under which any person or firm carrying on an insurance business may be liable to satisfy part or all of the judgment which may be entered in this action or indemnify or reimburse for payments made to satisfy the judgment and provide Plaintiff's attorney with true copies of those insurance agreements or policies, including, but not limited to, any and all declaration sheets. This demand shall include and cover not only primary insurance coverage, but also any excess, catastrophe, and umbrella policies.

DEMAND FOR TRIAL BY JURY

Plaintiff demands a trial by jury on all issues.

McOMBER & McOMBER, P.C.
Attorneys for Plaintiff, N.E.

By: /s/ Christian V. McOmber
Christian V. McOmber, Esq.

Dated: January 11, 2019

DESIGNATION OF TRIAL COUNSEL

Pursuant to *Rule* 4:25-4, CHRISTIAN V. McOMBER, ESQUIRE, is hereby designated as trial counsel for Plaintiff.

CERTIFICATION

Pursuant to *Rule* 4:5-1, it is hereby certified that, to the best of my knowledge, there are no other civil actions or arbitration proceedings involving this matter with respect to this matter and no other parties need to be joined at this time.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

McOMBER & McOMBER, P.C.
Attorneys for Plaintiff, N.E.

By: /s/ Christian V. McOmber
Christian V. McOmber, Esq.

Dated: January 11, 2019